

Section 504 of the Rehabilitation Act Subpart D Presentation Outline 2010

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The following serves as an outline for the Section 504 of the Rehabilitation Act Subpart D presentation. Please complete each question during the presentation.

1. Section 504 is a **Civil Rights** statute aimed at **discrimination** of individuals with disabilities.
2. a) Section 504 Subpart C regulations addresses **physical accessibility**.

b) Section 504 Subpart D regulations of Section 504 addresses **preschool, elementary, and postsecondary** responsibilities.

c) Section 504 Subpart E applies to **postsecondary education**.
3. List five critical federal and State laws that relate to Section 504.
a) IDEA
b) ADA
c) ESEA
d) FERPA
e) State Regulations
4. Section 504 and the **Americans with Disabilities Act** have similar requirements.
5. Section 504 should be a **general education** responsibility.
6. A student is identified for Section 504 if his/her impairment **substantially limits** one or more **major life activity**.
7. List four examples of major life activities.
a) Learning
b) Breathing
c) Reading
d) Hearing
8. The three prong definition for Section 504 identification criteria includes:
Prong One: **Substantial** Limitations
Prong Two: Record of an impairment
Prong Three: Regarded as having an impairment
9. Comment on the following: "Section 504 is nothing more than a deluxe version of general education."
Good teachers make accommodations for students who need them.
10. True or **False**: Prong 2-3 should be used to determine Section 504 identification.

11. List two Section 504 identification exclusions.
Pregnancy Using drugs/alcohol
12. Before a student is identified under Section 504, an **evaluation** must be conducted.
13. Early intervening is related to the **Responsiveness to Intervention** process.
14. The ADA Amendments of 2009 greatly expanded the **major life activities**.
15. List three situations when a school might consider Section 504 identification.
a)Chronic health condition
b)Not eligible for IDEA
c)Early Intervening strategies not working
16. OCR directs schools to make decisions of whether a particular impairment **substantially limits** a major life activity.
17. What is at least one Section 504 obligation for each of the following groups:
- Student/Parent: **Attend 504 meetings**
 - School Principal/Staff: **Implement non-discriminatory practices**
 - 504 Coordinator: **Oversee 504 requirements**
 - Superintendent: **Support 504 procedures**
 - School Board: **Develop policies**
18. The **grievance procedures** could prevent an OCR complaint.
19. The **Office for Civil Rights** enforces the provision of Section 504 and other civil rights laws.
20. The four major activities conducted by the Office for Civil Rights are:
a)Investigate Complaints c)Collect Data
b)Technical Assistance d)Compliance Reviews
21. List the main Section 504 procedural requirements for schools:
a)Written Assurance d)Board Notice
b)504 Coordinator f)Specific Notice
c)Child Find g)Procedural Safeguards
d)Grievance Procedures h)Self Evaluation
22. The Section 504 Coordinator could be a **Administrator, Counselor, or School Nurse**.
23. True or **False**: All children identified for **Special Education** are also identified for **Section 504**.
24. The three standards for determining a substantial limitation are:
a)Evaluation
b)Persons knowledgeable about student
c)Persons knowledgeable about disability

25. What are three disabilities that are increasing in public schools?
a)Asthma
b)Obesity
c)TBI
26. The determinations of whether an impairment substantially limits a major life activity should be made without regard to the effects of **mitigating measures**.
27. An **accommodation** provides access for a student with a disability to participate in their educational program, but does not fundamentally **alter** standards or expectations.
28. A **modification** provides access for a student with a disability to participate in their educational program, but fundamentally alters the standards or expectations.
29. Students with special health care needs usually have an **emergency** plan.
30. Students with mitigating measures should get a **monitoring** and **process** review.
31. True or **False**: A student who is ADHD and receiving Bs and Cs in their classes should be on a Section 504 plan.
32. List suggested steps in the Section 504 process:

<u>a)Early Intervening</u>	<u>e)Evaluation</u>
<u>b)Referral for evaluation</u>	<u>f)Determine Identification</u>
<u>c)Notice</u>	<u>g)Implementation</u>
<u>d)Consent</u>	<u>h)Periodically Review</u>
33. Relating to Section 504 paperwork, **documentation** is always a best practice.
34. Student accommodations and/or services are reviewed **periodically**.
35. **Section 508** addresses website accessibility issues.
36. List four ways to prevent over-identification in Section 504.

<u>a)Substantial limitation</u>	<u>c)Medication only</u>
<u>b)Early Intervening</u>	<u>d)Temporary Impairments</u>
37. Extended School Year (ESY) is an option in special education but probably not under **Section 504**.
38. The school can not force a parent to have their child **medicated**.
39. Charter schools are obligated to abide by **Section 504**. Private schools are obligated if they receive any **federal** funds.

40. Compare and contrast Section 504 and special education in the following areas:

Issue	Section 504	Special Education
Age Range	Birth to Death	State Specific
Type of Law	Civil Rights	Education
Responsibility	General Education	Special Education
Administration	Section 504 Coordinator	Special Education Director
Funding Sources	School District	Local, State, and Federal
Enforcement	OCR	OSEP
Identification	Substantial Limitation to a Major Life Activity	Eligibility to 1 of 13 Categories
Evaluation	Yes	Yes
Free Appropriate Public Education	General Education, Special Education, and Related Services	Special Education and Related Services
Service Tool	504 Plan	IEP
Least Restrictive Environment	General Education	Continuum of Placement Options
Team	504 Team	IEP Team

41. **True** or False: The Family Educational Rights and Privacy Act (FERPA) applies to Section 504.

42. Please complete the federal laws relationship circle.

